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October 1982



SOCIETY FOR
PRIVATE AND COMMERCIAL
EARTH STATIONS

**Program Suppliers Open
Up to Private Cable**



SPACE

The Dawning of a New Era

SPACE is working to make the benefits of earth station technology available to all Americans. Composed of manufacturers, distributors, dealers, private cable operators and consumers, SPACE represents the industry before Congress, the FCC, the Executive Branch and the public. The trade association's principal goal is to obtain equitable treatment of the earth station industry and its consumers in the video marketplace.

Since its inception, the earth station industry has had an uphill struggle. But, because of the dedication of many industry figures and because of the work of SPACE, the industry has survived and indeed is flourishing! Join us now as the earth station industry enters an era of increased recognition and opportunity. Be a part of SPACE as the earth station industry comes of age.

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(Membership application is included on
the back cover of this issue.)



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In order to acquaint the membership with the Board of Directors, profiles of several Directors will be presented in each issue of **SATVISION**. This issue contains profiles of three new Directors: King Oberlin, Gordon Lawhorn, and Ronald Wysong.

Congratulations New Directors!

SPACE is proud to welcome back the following members of the Board of Directors who will be serving again this year: Robert Behar, Donald Berg, Robert Cooper, Royden Freeland, Jr., Andy Hatfield, Taylor Howard, Tom Humphries, L. Russell Keene II, Bruce Lemoine, Charles (Bud) Ross, Horton Townes, Clyde Washburn and Sam Conwell, who served on the 1980 Board.

In addition, we are happy to welcome the following individuals who will also be serving as Directors for the year 1982-83: Robert Dushane, Gordon Lawhorn, King Oberlin, Dan Wegeland, Roger Edwards, Wendell Harp and Mike Wade.

A New Look for a New Age

SPACE is expanding and becoming more active than ever in the wide variety of issues that affect the earth station industry. Because of the fast pace of the industry, many members have let us know of their need to keep current on all the issues affecting the various sections of SPACE. Thus, as an experiment, we have combined SPACE's three monthly newsletters into one called **SATVISION**. This first issue of **SATVISION** will cover the entire range of topics usually covered separately in the three newsletters. We expect that, with this approach, SPACE can better inform all members of current news and developments in this fast moving and exciting industry. We will be looking forward to your thoughts on this format. In any case, we want all Dealer members and Private Cable Television members to know that they will still continue to receive bulletins from SPACE directed to particular events and issues concerning them, whenever there is a need to communicate such information. Pioneer members will still continue to receive the weekly newsletter **Inside SPACE**.

Dealers (cont'd.)

SATELLITE DOWNLINK (516) 654-1083	SATELLITE HOME ENTERTAINMENT, INC. (317) 448-4591	SATELLITE IMAGES Mexico (614) 594-2524	SATELLITE RECEPTION SYSTEMS (206) 852-6928	SATELLITE RECEPTION TECHNOLOGY (303) 873-2112	SATELLITE SCANNERS, INC. (206) 852-6928	SATELLITE SUPPLY, INC. (305) 944-9822	SATELLITE TECHNOLOGY, INC. (512) 282-4482	SATELLITE TELEVISION, INC. (208) 232-1926	SATELLITE TELEVISION SYSTEMS (803) 654-5369	SATELLITE T.V. SYSTEMS (317) 448-4966	SATELLITE VIDEO DISTRIBUTORS, INC. (512) 682-4501	SATELLITE VIDEO SUPPLY (712) 537-2466	SATELLITE VIDEO SYSTEMS (301) 857-4414	SATELLITE VIDEO SYSTEMS, INC. (717) 395-4200	SATTRACKER SYSTEMS (316) 431-1960	SCHMIDT RADIO & TV (316) 885-4694	SCHMIDT T.V. (507) 433-1633	SES (703) 968-7760	SHAVER RADIO AND TV, INC. (405) 765-8363	SHAVER TV (405) 256-8696	SHAW TV & APPLIANCE (915) 646-8183	SISSTON BOTTLE GAS CO. (605) 698-7422	SKY-SCAN OF KENTUCKY (502) 695-3465	SKYLINE SATELLITE SYSTEMS (216) 629-4842	SMITH MUSIC & TV, INC. (505) 538-3717	SNIDER'S TV (803) 238-1098	STEREO CITY WAREHOUSE (306) 632-5122	STEVENSON'S TV & APPLIANCE (406) 586-5361	STOCKMAN'S SUPPLY (406) 323-1781	STUCKY BROS. (219) 482-8402	SULLIVAN ENTERPRISES (419) 826-5320	SUMMIT AUDIO-VISION (303) 486-2808	SUMMIT T.V. (801) 654-4151	SUNLIFE (303) 473-6806	SWITLIK'S EAGLE ELECTRONICS (417) 667-7835	T.V. APPLIANCE CENTER (800) 538-6293	T.V. HEADQUARTERS (317) 284-3351	TV LAND (800) 352-0863	T.W.S. ELECTRONICS, INC. (815) 623-6373	STELLARVIEW SATELLITE SYSTEMS, INC. (803) 238-1098	TEBLER FURNITURE, INC. (316) 285-6944	TEAM ELECTRONICS (605) 343-8365	TED McDONALD TV (608) 735-4757	TELE-SAT, INC. (713) 860-4187	TELEVISION SATELLITE SYSTEMS, INC. (202) 636-3925	TELESTAR ENTERPRISES (916) 893-0530	THE ENTERTAINER (314) 839-5000	THE SATELLITE AND SOUND CONNECTION (303) 888-3363	THE SATELLITE LINK, INC. (305) 726-4706	THE SATELLITE STATION, INC. (805) 482-2788	THE VIDEO CENTER (316) 421-5160	THE VIDEO SET (303) 591-0470	THOMAS FURNITURE CO., INC. (314) 378-5393	TOM PADGITT, INC. (817) 776-3130	TOWN & COUNTRY ELECTRONICS (815) 379-9048	TOWN & COUNTRY TV (715) 832-5623	TRANSLATOR TV, INC. (303) 586-2959	TRANSVISION CORP. (415) 924-6963	TRI-LAKES ELECTRONICS INC. (303) 481-2387	TRI-STATE AVIATION (701) 642-5777	TRI-X ENGINEERING, INC. (208) 228-5216	TULSAT CORPORATION (918) 836-8348	TURNER SATELLITE SYSTEMS (217) 895-3395	TVRO WORLD SYSTEMS (702) 885-7588	U.S. STEREO & VIDEO (303) 241-7614	UNIVERSAL HOME SATELLITE (213) 395-1863	VALLEY SATELLITE TV (201) 221-3868	VERN'S TV & RADIO (303) 775-9572	VIA SAT COMM (214) 451-6601	VIDEO COMM (713) 842-4486	VIDEO KINGDOM (303) 381-7714	VIDEO TECHNOLOGY, INC. (504) 987-9251	VIDEO WAREHOUSE (303) 687-1253	VIDEOWORLD (715) 735-3675	VIDEOSAT, INC. (602) 445-0383	VIDTECH COMM., INC. (206) 784-7918	VISALLI SATELLITE SYSTEMS, INC. (609) 691-7938	VOCT, INC. (915) 758-5860	WALDEN T.V. CENTER (218) 631-3266	WALTON SATELLITE TV (717) 272-2064	WAX T.V. & SOUND CENTER, INC. (328) 635-5622	WEST-HILLS ELECTRIC (307) 358-5101	WESTAR SATELLITE AND COMMUNICATIONS (414) 375-0145	WETHERELL MFG. CO. (712) 456-2266	WHEELER COMMUNICATIONS (614) 796-4149	WHITE REFRIGERATION CO. (406) 452-4307	WHITE'S TV (314) 368-1577	WILSON TV & RADIO SHACK (214) 984-4425	WORLD SAT-DIVISION OF LAWORN, INC. (804) 649-2239	WYOMING SATELLITE TELEVISION (307) 856-1708
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Message from Outgoing President Tom Humphries

As SPACE welcomes its second elected Board of Directors, it is time to reflect on the efforts of the year past and point toward future objectives. This has been a year of significant accomplishments for the industry and its trade association, SPACE. I wish to highlight just a few of these achievements.

- The first testimony by SPACE on behalf of the satellite earth station industry before both the House of Representatives and the Senate of the United States.
- SPACE's success in convincing both Houses of Congress that proposed provisions harmful to the earth station industry and American consumers in the Waxman bill and the Goldwater bill should not be enacted.
- An opinion from the FCC's General Counsel recognizing the legitimate problems faced by the earth station industry and recommending to Congress that it investigate the anti-competitive refusals to deal which plague the industry.
- Recognition of the public benefits of earth stations in widely publicized statements by members of the House and Senate.
- The first industry trade show sponsored by the members of SPACE.

Official thanks should go to Bob Behar, Chairman of the First Annual SPACE Convention and Exhibition which was a great success, as well as to Vice-President/General Counsel, Rick Brown, and the members and staff of Brown & Finn who worked so diligently for the success achieved in the House and Senate this year as well as for the success of our first trade show.

In addition to these successes, I am proud to announce yet another first. This month, our General Counsel negotiated an agreement on behalf of SPACE with SelectTV which guarantees that a quality satellite subscription television service will be available to SPACE private cable operators. This is the first agreement which guarantees the availability of satellite programming to members of the earth station industry. It comes at a time when other satellite services are attempting to deny competitive entry to private cable operators. SelectTV is a quality subscription service. I encourage all members of SPACE who are looking at the private cable (satellite master antenna television) business to take a close look at the SelectTV service. We are also confident that the Agreement concluded with SelectTV can serve as a basis for opening up additional subscription services for the industry.

With the announcement of this Agreement we believe that the industry has passed the first phase of its infancy. More and more programmers are looking at this industry as a source of additional outlets for their product. SPACE and the earth station industry have been specifically recognized by the Congress of the United States, as well as the FCC, and activities have been reported in national press such as the *New York Times*, *The Wall Street Journal*, *Time Magazine*, and *The Washington Post*.

There will, no doubt, be future legislative and judicial battles to fight. During the hiatus that we have from these battles, SPACE will expand services to meet other needs of its membership. In this vein, we are happy to announce the first of what we hope will be a series of seminars specifically geared to address the issues involved in private cable television construction and operations. This event will take place in January in Las Vegas, Nevada, coinciding with the Consumer Electronics Show. The meeting will address the particular interests of those SPACE members who are entering the private cable (SMATV) business. We invite your attention to the article appearing later in this Newsletter on the meeting.

As I leave my term as SPACE's first elected President, I wish to thank all of those of you who are members of SPACE, especially the SPACE Board of Directors and its officers, and the Pioneer members of SPACE for working together to bring us the success achieved this year and for providing a firm foundation upon which to build in the future. I look forward to working for future successes and intend to be an active member of SPACE's second elected Board of Directors.

Thank You.

Tom Humphries
President of SPACE

Status of Legal and Regulatory Matters Affecting the Earth Station Industry

Congress

The Waxman Bill

H.R. 4727 was introduced in the House of Representatives by Congressman Henry Waxman (D-CA) and co-sponsored by the Chairman of the House Subcommittee on Telecommunications, Chairman Timothy Wirth (D-CO), as well as several others. The bill proposed to substantially increase penalties for the "unauthorized interception and use" of certain communications—up to \$50,000 in fines and two years imprisonment. It is believed by many that the proposed penalties could apply to "unauthorized reception" of satellite communications by earth station users. Hearings were held in November of 1981, at which time SPACE testified in opposition to the bill. There has been no movement since then to vote on the bill. If the bill is not voted on before the Congress adjourns from its forthcoming "Lame Duck" session, it will die. However, the MDS and STV industries which support the bill have not lost interest in the issue of unauthorized reception and use of communications—so there is a good chance that they will be seeking protective legislation in the Congress next year.

The Goldwater Bill

S. 2172 was introduced by Senator Goldwater (R-AZ) and co-sponsored by Senator Kasten (R-WI). The bill contains comprehensive cable television legislation and formerly contained so-called "signal piracy" provision similar to those found in the Waxman bill. Through SPACE's extensive persuasion campaign the "signal piracy" provisions were deleted. The revised S. 2172 was passed by the Senate Commerce Committee, without the "signal piracy" provisions. This bill provides for exemption from cable television regulation for private cable (SMATV) systems. There is a chance that a full Senate vote on the bill will be held when Congress returns for its "Lame Duck" session.

The Hollings/Cannon Bill

S. 2445 was introduced by Senator Hollings (D-SC) and Senator Cannon (D-NV) as the Democrats' alternative to the Goldwater bill. It also contained so-called "signal piracy" provisions, however, further action on this bill appears unlikely.

Courts

Legality of Earth Stations

There have been no court cases finding that satellite earth stations are illegal, that the manufacture, sale or distribution of satellite earth stations is illegal, or that viewing a particular satellite-delivered program is illegal.

Antitrust Suits

Two antitrust cases have been brought by private cable (SMATV) operators in Illinois and Arizona, and one by the Arizona State Attorney General, against subscription satellite program suppliers and cable television companies for "refusals to deal" with private cable systems. A preliminary injunction sought by the Arizona private cable operator was denied.

Federal Communications Commission

Direct Broadcast Satellite (DBS)

The FCC preliminarily approved the applications of nine companies to construct DBS systems. Each company proposes to launch its own satellite which will transmit programming chosen by the DBS operators. The final technical specifications have not been established. Also, it is not clear whether a single earth station receiver will be capable of receiving programming from one or all nine DBS systems. A construction permit has been issued to COMSAT, with other grants soon to follow. None of these DBS systems will be operational prior to 1985.

"Interim DBS"

GTE has obtained an FCC go ahead to provide an "interim DBS" service using the KU-band channels on the Canadian Anik satellite direct to apartment houses and private homes. United States Satellite Broadcasting and SBS have sought to have the FCC reverse its decision in this case. They argue that the FCC failed to provide the public with adequate notice that GTE's application proposed satellite service to private homes. They have urged the Commission to suspend GTE's authorization, pending processing of other DBS applications. FCC action is expected in several months. A similar effort to provide "interim DBS" was abandoned this month by Oak Industries.

Orbital Spacing

The FCC has not yet approved reduction of satellite spacing, but it appears that such approval may be forthcoming. SPACE's Technical Com-

mittee has determined that this reduction will not materially affect the performance of most private earth stations currently in use. However, reduction in orbital spacing may affect pending applications and those who already have authorization to offer portable earth station services to the public (including such services as teleconferencing).

Recognition of the Earth Station Industry

In comments to the Congress on the Waxman bill, FCC General Counsel, now Commissioner, Steven Sharp, urged the Congress to investigate the subscription programming services' refusals to deal with the earth station industry. This public recognition of the possible antitrust violations being sustained by our industry could go a long way towards helping solve this major problem.

Business

Position of Satellite Program Suppliers Toward Private Systems

SPACE announced this month its Agreement with SelectTV to provide satellite services nationally to private cable (SMATV) members of SPACE. Details of this Agreement appear later in the Newsletter. Policies of other satellite programmers change constantly. The following summary is the result of a recent survey. Each supplier should be contacted to determine its present position.

Viewing rights can be obtained for "superstations"—WGN, WOR or WTBS. Viewing rights contracts can also be obtained for Cable News Network, most other advertising-supported services, C-Span and all religious services.

HBO, Cinemax, and USA Network refuse to deal with private cable systems. Showtime and ESPN will deal with private systems outside of franchised areas. ESPN is re-evaluating its policy and an article concerning negotiations with ESPN is included in this Newsletter. The Movie Channel, Nickelodeon and MTV generally refuse to deal with all private cable (SMATV) systems but make occasional exceptions. The Movie Channel will serve hotels and motels regardless of whether they are located in a franchised cable area. Home Theatre Network generally sells to private systems in all markets.

Consumer News

Washington Goes to Mr. Smith

The proceedings of the House of Representatives are regularly televised on SATCOM F-3, transponder 19, for reception by cable subscribers by an organization known as C-Span.

Many SPACE members have written to C-Span with various questions concerning authority to view the proceedings of the Congress. C-Span's position over the years has varied. Some earth station owners have been told to go ahead and watch the proceedings of the Congress, but not to expect any formal written authority. Others were told that the C-Span Board of Directors could not authorize viewing of the C-Span service by backyard earth station owners. Still others have been told that C-Span charges a minimum fee of \$5.00 per month for viewing of its signal.

SPACE had championed everyone's right to view the proceedings of their elected representatives. This fact has been brought home to C-Span by SPACE and by Congressman Charles Rose (D-NC) who testified before both the House and the Senate this year against C-Span's unwillingness to grant authority for backyard satellite reception of its signal. Congressman Rose, who also spoke at the recent Omaha SPACE Trade Show, is also Chairman of the House Broadcasting Committee, which oversees the C-Span service.

C-Span's reluctance to authorize direct reception of its signal may have been caused by its corporate makeup. The C-Span Board of Directors is comprised of some 20 multiple system operators—the largest of the cable television companies. The antipathy of some cable television companies to our industry because of the competitive potential of earth stations is well known. As a result, C-Span dragged its feet on authorizing reception by backyard earth station owners. When C-Span finally said O.K., SPACE specifically took issue with the \$5.00 per/month fee which C-Span announced several months ago. Our primary concern was that such a fee might encourage other programmers to assess exorbitant fees on backyard earth station users, i.e., if C-Span charges private earth station users \$5.00 per/month per subscriber (cable operators are charged 3 cents per subscriber) how much is a premium satellite service such as SelecTV, HBO or Showtime worth?

We are proud to report that the effort sustained by Congressman Rose and SPACE has borne fruit this month. The incoming C-Span Chairman, Ed Allen of Western Communications, has announced that, in the future, C-Span will authorize viewing of its signal by backyard satellite earth station owners without imposing a fee. Washington has come to Mr. Smith and Ms. Jones and anyone who has a satellite receiver. The following constitutes the text of Mr. Allen's Letter.

September 16, 1982

*The Honorable Charles Rose
United States House
of Representatives
2435 Rayburn House Office Building
Washington, DC 20515*

Dear Congressman Rose:

I want to thank you (and Rick Brown, SPACE) for taking the time, yesterday, to start your very busy day with a meeting with Brian Lamb and myself. I appreciated the opportunity to meet with you on a more personal basis than is normally available at a typical cable television social function. I went away with a very good feeling about our ongoing relationship. While Brian Lamb will confirm the substance of our meeting in a more formal way (in his capacity as the President of the Cable Satellite Public Affairs Network), I just wanted to add my own personal assurance to you that C-SPAN's informal policy of more than a year has now been made a formal policy relative to the carriage of C-SPAN by "backyard earth stations." Very simply, the Executive Committee of the Board of Directors of C-SPAN has made the formal determination that we shall not make any charge for the private use of the C-SPAN signal by these individual home owners. We reserve the right, of course, to preserve an even-handed rate schedule for entities who make use of our signal for resale or transmission to others which is fully consistent with your thinking. As the world's only 24-hour public affairs television network, I think it is incumbent on C-SPAN to encourage the broadest possible dissemination of our public affairs programming (including the programming of the House of Representatives) to the broadest possible audience. To achieve this purpose, the cable television industry gladly accepts the social obligation to underwrite C-SPAN to the degree necessary to make this "no-charge" policy possible. I am, personally, particularly appreciative of the remark you made to me as

I was leaving your office. You said, in effect, that if C-SPAN ever needed your help, all I had to do was ask for it. As I intend to be an "activist" Chairman of C-SPAN, I am certain occasions will arise when I shall need your help and I intend to take you up on your offer, as needed.

Again, my thanks for your courtesy, consideration, understanding and support of C-SPAN and its efforts to bring the government of the United States into the homes of the people of the United States.

Most cordially,

*Edward M. Allen, Chairman
Cable Satellite Public Affairs Network*

"A Few Thoughts on Scrambling"

A question most frequently asked of SPACE by Consumer Members is:

"Will the satellite programmers scramble their transmissions and will that render my backyard dish obsolete?" The answers are "maybe" and "definitely not!"

From time to time all of us read that one or another subscription service has announced that it intends to scramble its transmissions. HBO, for example, has said that it will scramble by March, 1983. Most observers are skeptical that an effective scrambling system can be developed at a reasonable cost within that period of time. While a few of the subscription services may, in fact, scramble their signal at some point, it is extremely unlikely that other services available on the satellites, independent broadcast stations, services supported by voluntary contributions or advertising-supported services will do so. It makes little economic sense to scramble a signal when your profits depend on the number of people who view the signal. In short, even if some of the services scramble, many other should still be available. So obsolescence of your equipment should not be a concern. To the extent that scrambling gives the various subscription satellite services the ability to protect their signal, it also gives them the ability to obtain payment directly from backyard users. But, therein lies the rub, as you will see later.

Let us first look a little more closely at the motivation to scramble signals. At the present time, there are an estimated 50,000 backyard earth stations in operation with some 5,000 units going out into the distribution market per month. Com-

pared to HBO's subscriber count this is an insignificant figure. By unofficial industry estimates there are at least that number of unauthorized multi-point distribution service (MDS) viewers of the Home Box Office signal in the City of New York alone. These individuals view the HBO signal through the installation of an MDS receiver on their rooftops without the authority of HBO. To date, and despite the pleadings of many of the HBO authorized installers, HBO has been completely silent on its plans to scramble its MDS transmissions.

Nor is New York a unique example. A judgment exceeding \$100,000 has been entered in Phoenix, Arizona, against some of the sellers of unauthorized MDS equipment. Another \$120,000 judgment has been entered in the Washington, D.C. area against the sellers of MDS reception equipment designed to pick up the HBO signal. Still, there is no announcement that HBO will scramble its MDS transmissions. Why not? It may be that HBO simply does not care about its MDS retailers and prefers to see them "twist slowly in the wind" than to take real action to help them. Perhaps the answer can be found in a belief that existing scrambling systems simply do not work to prevent piracy. The STV industry has found that even when signals are scrambled, with today's technology, they can be, and are being decoded.

What then is the real motivation for scrambling satellite signals? HBO's public announcements of its investigations into scrambling technology may be designed to achieve two goals: slow down the earth station industry and placate the motion picture companies which are becoming increasingly annoyed over "piracy" of their movies in any form. And, just for the record, as we have stated many times before, SPACE is against piracy; reasonable compensation for the use of motion pictures and other creative works is equitable and appropriate.

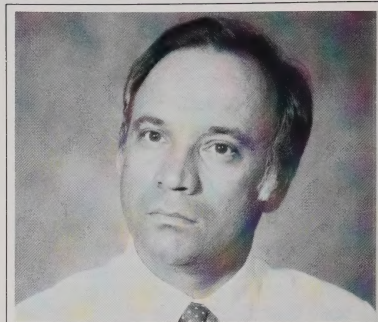
Several other factors may also enter the equation. While scrambling will deter many users of equipment, it is unlikely that any reasonably priced method of scrambling will be able to completely prevent reception by backyard electronic buffs. Rather, it may serve as a challenge to some—witness the article in a recent issue of *Coop's Satellite Digest*, which promises to publish a schematic of any scrambling system. There is a difference between those ingenious people who view technology as an

old-fashioned challenge and those who are in business to receive something for nothing. A few satellite program suppliers have alleged that private cable (SMATV) operators are taking their signals without paying for them. Indeed, a scrambled signal may deter those private cable systems which receive HBO without paying for the product. But, frankly, based on the input received from SPACE members, this is not a significant problem. Few engaged in reputable businesses are likely to run the risk of incurring substantial bad press, damages, and criminal penalties for Copyright infringement which can result from unauthorized commercial reception. It simply is not worth it.

The HBO/Time, Inc., corporate hierarchy may, indeed, really fear the private cable industry. This fact is pointed out by the recent actions of HBO's sister company, American Television Communications Corporation (ATC) which has recently been awarded franchises in a number of big cities. Wiring all areas it has promised to wire takes a long time. While ATC delays, private cable operators are filling the vacuum. They are signing up multi-unit dwellings which will close off markets to the ATC system when it finally gets around to laying cable. To stop this from happening, ATC has announced that it too will enter the private cable business in those areas where it has the franchise to provide cable television service.

The last motivating factor and, perhaps the most significant, comes from the opportunities provided by scrambling pay-per-view services. Many of the satellite subscription services believe that the most promising future for such services is in the pay-per-view area. The economics are simple. Ten million homes paying \$10 each to watch a heavyweight title bout is \$100 million. And, that is not the only market for pay-per-view. There are projects underway to simultaneously preview first run movies in various movie theaters and on cable television systems. It may be that the real motivation on the part of those subscription services which intend to scramble their signal is to develop the mechanism to provide pay-per-view.

Few people we talk with would deny the HBO's of the world the right to make a buck by scrambling their signal to insure payment for services provided. The rub is that



Ronald Wysong

Elected from the Pioneer Section, Mr. Wysong is the Executive Vice President of R. L. Drake Company and has been with the company for ten years. R. L. Drake, an original SPACE Pioneer member, is also a leading manufacturer of amateur radio, commercial and maritime communications equipment. Mr. Wysong's responsibilities include engineering and manufacturing management for all consumer and commercial TVRO products. Mr. Wysong holds B.S.E.E. and M.S.E.E. degrees from the University of Dayton and is currently completing his M.B.A. He holds a patent in his name for a broadcasting system he designed. Mr. Wysong participated in a 1978 Mid-Com Professional Program in Dallas, Texas, where he delivered a well-received paper on HF Receiver/Transceiver Development Trends. In addition, he has written several technical articles for trade journals.

HBO may utilize scrambling to deny access to their service by some willing to pay for it, such as private terminal users.

Satellite technology makes use of a scarce resource—the spectrum—and it was developed at taxpayers' expense. Its benefits should not be exploited by a handful of companies and denied to the very people who pay for its development.

This year's go-around in the House and the Senate over legislation sponsored by motion picture interests has done a lot to sensitize the Congress to the benefits of SPACE's point of view. If the access issue is not resolved in the marketplace through negotiation and the application of business common sense, it will have to be resolved shortly by the courts or the Congress.

Private Cable Seminar Scheduled for January, 1983

SPACE is scheduling a one-day seminar targeted at SPACE Dealers and designed to address all of the issues of interest to dealer members who are considering entering the private cable (SMATV) business. Mark your calendar for the first week in January, 1983—just prior to the Consumer Electronics Show and plan to be in Las Vegas, Nevada. The issues covered will include:

- The economics of private cable.
- The technology of private cable.
- The legal issues and how to cope with federal and state regulations.

These subjects will be addressed by industry experts. As soon as the final details are worked out, SPACE will make a direct mailing to its Dealer members concerning this seminar.

SPACE to Collect Information on Earth Station Sales

At the SPACE Dealer meeting which took place in August in Omaha, SPACE was urged to collect information on distribution and sales of satellite earth station equipment. This month, SPACE is sending to its Pioneer members and selected manufacturers a questionnaire asking for information on sales of equipment in various categories. The information will be mailed directly to SPACE's accounting firm for tabulation and those Pioneer manufacturers who participate in the program will have access to the totals involved. No specific identification of any company involved will be provided to anyone and these individual reports will be destroyed by the accountants after tabulation.

SPACE is actively planning the initiation of such a program for its Dealer members as well. We need your help, however, on the type of information which might be of use to you. We have enclosed a sample questionnaire requesting information which may be useful to dealers and manufacturers, as well as to the association in our lobbying efforts.

If you have any suggestions for additional information which you believe should be included, please contact SPACE's headquarters immediately. We need the input of all dealers in order to develop an effective questionnaire.

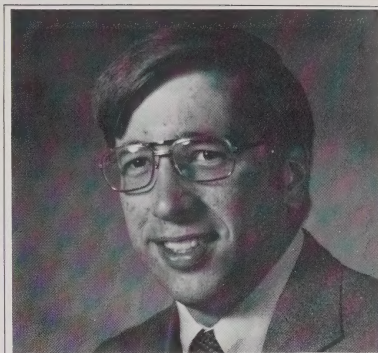
Update on Zoning Issues

SPACE's headquarters was contacted by over a dozen communities this past month with questions concerning the zoning of satellite earth stations. These issues were covered in

two prior editions of **SATVISION**, Vol. 1, Number 2 and Vol. 1, Number 3 (February and March, 1982). Should any Dealer member wish a back copy of these newsletters, he/she may obtain one by simply requesting it from SPACE.

Most city zoning ordinances specify various restrictions to be placed on "antennas". Many communities are including satellite earth station receivers as types of antennas subject to these general restrictions. Depending on the wording of the ordinance in your area, this may or may not be an acceptable solution. Some antenna ordinances are O.K.; others are restrictive—preventing, for example, the installation of any antenna on a roof or above a certain level. In other cases, communities are attempting to write specific zoning ordinances governing satellite receivers. Often, these ordinances include requirements restricting receiver distance from the front and sides of the property, diameter and height above the roof of the house. In other cases, the installation of a satellite receiver on top of a home is prohibited. In still other specific cases, local zoning authorities have attempted to completely outlaw the installation of a satellite receiver.

SPACE is actively examining the feasibility of drafting a model zoning ordinance for earth stations. A major obstacle in this task is that different restrictions may be reasonable in dif-



King Oberlin

King Oberlin, a new member of the SPACE Board of Directors, elected from the Dealer Section, brings to the Board nearly ten years of experience in the MATV and, more recently, the satellite industry. The founder of King's Antenna Service of Angola, Indiana, Mr. Oberlin has, in just a year and a half, established a regional network of 16 satellite systems. Despite the rapid growth of King's Antenna Service, Mr. Oberlin still performs personal service calls on the equipment he sells. He has expressed a special concern over the adverse effect on the future of the satellite industry posed by a very few dealers selling inferior equipment. Mr. Oberlin hopes to assist SPACE in addressing this issue during his tenure on the Board.

Draft

Information Solicitation Form for Space Dealers/Distributors

1. Type of Equipment Sold: No. of units this month
Antenna _____ Receiver _____ LNA _____
2. Equipment Installed: For each unit sold above, please furnish the following information
Private Home _____ address _____
Nightclub or _____
Restaurant: _____ address _____
Apartment house _____
or condominium: _____ address _____
Trailer Park: _____ address _____
Other: _____ specify _____
- Type of System (including special features): _____
Total Cost of System: _____
Congressman serving that District (if known): _____
3. Primary Reason for Purchase: _____
Movie Services _____ Sports Events _____ Religious Services _____
News _____ Adult Programming _____ Other _____
4. Community: Is the equipment installed in an area franchised for cable television?
Yes: _____ No: _____
Character of Community: Urban: _____ Rural: _____ Suburban: _____
5. Purchaser information: (if sold to private home owner)
Occupation: _____
Farmer _____ Professional (doctor, lawyer, etc.) _____
Businessman _____ Retired _____ Income (Est.) _____
Other (please specify) _____ Age (Est.) _____

ferent areas of the country. A setback requirement necessary in an urban or high-density suburban development is clearly not appropriate for a rural community. Also, the fact that different diameter dishes are required in different parts of the country to receive satellite signals makes it difficult to establish one uniform ordinance.

In the interim, SPACE has developed a letter to be sent to local zoning bodies that are attempting to develop an ordinance which would effectively outlaw satellite receivers. If you are facing this problem in your community, please contact SPACE immediately and we will assist you in your efforts with your local community.

Downlinking—A Growing Business for SPACE Dealers and Distributors

More and more satellite earth station dealers and distributors are becoming active in providing downlink services for those engaged in satellite video teleconferencing. SPACE spoke this month with member Mike Ostwind, Senior Vice President and General Manager of CNI Corporation, a Leesburg, VA distributor of satellite earth stations and related equipment.

SPACE: How long have you been in the business of downlinking?

Mr. Ostwind: CNI has been in the business for just under two years.

SPACE: For whom have you provided downlinks?

Mr. Ostwind: We have served many religious groups including P.T.L. and the Evangelists Kenneth Copeland and Marilyn Hickey. On the corporate side, we have provided service for the Norwegian Steamship Lines, Ford, Chrysler, Avon, several championship fights, Pfizer Drug Company, Allied Van Lines, U.S. Steel, Syntex, and WTBS to name just a few.

SPACE: What are the primary uses for video conferences?

Mr. Ostwind: Teleconferencing is used by major corporations primarily for one of two purposes: to get their sales people together for business meetings; or to send out information on new products. For example, Hewlett-Packard does a downlink almost every month for its sales people. Recently, when Chrysler introduced its new line of cars, it got the word out to its dealers through a teleconference.

SPACE: How are the teleconferences typically organized?

Mr. Ostwind: Often the company providing the conference will send out invitations to its dealers, or others who may be interested in the product being sold. Frequently these video con-

ferences are interactive with a patch through telephone lines to the studio where the presentation is being made. Any questions by the audience can be resolved on the spot. With the cost of transportation and fuel, it's becoming a very cost-effective way to hold a meeting or to show off a new product.

SPACE: How do you go about finding customers for downlinking service?

Mr. Ostwind: Most companies that are providing a video conference do not go out and establish their own downlink network. Instead, they go to the handful of companies that put together the networks of downlinkers and projection people. When we started in this business nearly two years ago, there were very few people doing it. Now there are many more people entering the business.

SPACE: Who are the main brokers?

Mr. Ostwind: Netcom (Bill Tillsen) is probably the biggest company. He addressed the SPACE Omaha Convention. Also, Video Star of Atlanta does downlinking. The Public Service Satellite Consortium (PSSC) in Denver has also been active in downlinking as has the Robert Wold Company of California.

SPACE: Do you have any comments about the quality of downlinking being done?

Mr. Ostwind: There have been a number of new entrants into this business who have tried to provide downlinks with unsuitable reception equipment. I cannot emphasize too strongly that for a commercial show you must use high quality, sophisticated equipment. Also, because video conferences are live events, you must have backup equipment. This is particularly true, for example, for downlinking boxing matches. It's like the old days of live television—you only get one chance. I know of one company that did not have adequate backup at a recent prize fight and the equipment was smashed by unhappy fans in attendance.

SPACE: Are there any going rates for providing downlink service?

Mr. Ostwind: Nationwide, the rate for providing service is around \$900-\$950 per day. Usually, that includes both the show and a pre-show site check. The site has to be cleared for line of sight to the satellite and for possible terrestrial interference. Often, if the site is unusable, the company will be paid a flat fee—in the \$250.00 range—for site check.

SPACE: While providing the downlink service, do you get into other businesses?

Mr. Ostwind: Yes. A recent trend that has come about in the downlinking business is the offering of large screen projectors. For example, we have in our inventory large screen projectors ranging anywhere from 6' by 8' on a



Gordon Lawhorn

Mr. Lawhorn, also elected from the Dealer Section, is the Chief Executive of Lawhorn, Inc., which was established in 1947 and has since grown into a diversified corporation employing over 20 persons and grossing over \$1 million per year. The satellite division of Lawhorn, Inc., World Sat Satellite Communications, employs five persons full time, several with degrees in electronics and microwave technology. In addition, World Sat is a manufacturer of actuators for the earth station industry. It provides free consultation services to all of its customers.

Mr. Lawhorn does not confine his interests to just the satellite industry. He has been active in Republican party politics and the Baptist Church. In addition, Mr. Lawhorn is working on a publishing venture entitled "Fellowship Travel Journal" to help educate Christians on how to travel by air inexpensively.

flat screen to 15' by 20'. By having this equipment available ourselves, we do not have to worry about contracting with someone else to provide the service. We can rely on our own equipment and our own people to provide a package price for the projector and the downlink.

SPACE: Typically, what do you charge for a large screen projector?

Mr. Ostwind: The projection equipment ranges anywhere from \$1,000 to \$1,500 for the day. Virtually all of this is, however, on a case-by-case basis.

SPACE: If I were a dealer/distributor desiring to get into this business, where would I go first?

Mr. Ostwind: In my view, the best place to start is to get one of the reputable brokers in this business acquainted with your company's service. Remember what the broker is up against—there is a tremendous amount of responsibility resting on his shoulders.

Private Cable Television News

SPACE Signs Contract with Satellite Subscription Service—SelectTV

A milestone in the satellite delivery of quality, first-run motion pictures to residents of multi-unit dwellings was achieved this month with a joint announcement by SelectTV and SPACE of an Agreement to bring SelectTV's service to private cable operators. The Agreement constitutes the first industry-wide commitment by a satellite subscription service to the private cable television market.

The Agreement calls for substantial discounts from SelectTV's existing \$7.45/month rate for those private cable operators who subscribe to the service through SPACE. Further discounts are provided if the private cable television system will promise to provide SelectTV as its core subscription service. As part of that Agreement, SPACE has agreed to provide SelectTV with advertising in its various publications starting in this issue of the Newsletter.

SPACE is pleased to have been the first association to negotiate an industry-wide contract for private cable television operators. One and a half years ago SPACE was instrumental in "assisting" Westinghouse through filings with the FCC to provide its service to private cable operators. Earlier this year, SPACE obtained a favorable exemption from provisions of the Goldwater bill regulation for private cable systems. Though we have made significant headway, there is, of course, much more that needs to be done to break up the programming logjam for private cable.

SPACE Talking with ESPN

For the last year, SPACE has been urging the Entertainment and Sports Programming Network (ESPN) to do business with private cable television operators. Historically, ESPN has taken the position that it will authorize viewing by those private cable systems which are outside franchised areas, but is balked at providing service to private cable operators in areas that are franchised for cable television. ESPN was made a defendant in the lawsuit filed by the Arizona Attorney General's office. As a result of an agreement entered between ESPN and the Arizona Attorney General's office, ESPN was dropped from that suit. ESPN has signaled its intention to do business with the private cable industry in Arizona and elsewhere.

Representatives of SPACE and its Private Cable Television Section met this month with ESPN in an effort to apprise its management of the nature of the private cable television business. Some concern was expressed that if, and when, ESPN does open up and serve the private cable business that it do so under the same rates, terms and conditions that it provides service to franchised cable systems. Those in attendance at the meeting were SPACE Director Roger Edwards, Stu Levin of Domesticom, Len Werner of Omega Communications (Memphis, TN) and

Fred Finn of SPACE's law firm, Brown & Finn.

SPACE Organizing Private Cable Seminar

In response to growing interest expressed by Dealer Members, SPACE is scheduling a Seminar on private cable issues for the first week in January, 1983, in Las Vegas. (See "Cable Seminar" article in Dealer News section.) Private Cable Television Section members are welcome to attend. A special mailing concerning this seminar will be sent to you in the near future.

Interview (cont'd.)

Typically, the broker also arranges transponder time and the uplink facility. The broker must have confidence in each of his downlinkers in order for the business to work. If it does not work, the client goes back to the broker.

SPACE: What do you see as the principal technical problems in downlinking?

Mr. Ostwind: The main problems we have encountered and overcome are tying in the large screen projectors with the downlink. It is absolutely critical to have a quality projectionist and to maintain adequate backup commercial grade equipment.

SPACE: Where do you see the business going in the next couple of years?

Mr. Ostwind: I see it increasing dramatically. I think we will see more and more fixed downlink sites as the cost of fuel continues to go up and as people become more comfortable communicating via satellite. The generation that is presently in the lower and middle levels of business management is the generation that grew up with television. It is becoming increasingly at ease using the medium as a method to disseminate information as well as to receive it. I also think that the portable downlink business will increase to fill in the gaps where there are no fixed downlink sites.

SPACE: Any last bit of advice for others seeking to enter this business?

Mr. Ostwind: The biggest thing, I think, is to use high quality, dependable equipment and to go out of your way to do good work. In downlinking the entire business is word of mouth and you live by your reputation. Also, it is absolutely necessary to have back-up equipment on hand at the job. You only get to make one mistake in this business. If you make that one mistake, you will not be in the business much longer. If a SPACE Dealer-distributor realizes this, uses top quality, effective equipment and has competent technicians he should find that the downlinking business can be a rewarding and profitable one.

Space Notes Posters, T-Shirts and Videotapes

Posters and T-Shirts with the new SPACE logo are available from SPACE headquarters. The SPACE T-Shirts are white with the SPACE name and logo in black, grey and red—sizes are medium, large and extra-large.

The full-size posters are renditions of this month's newsletter cover, in shades of blue with the SPACE name and logo in silver. T-Shirts are \$6.00 each and posters are \$5.00 each, plus \$2.00 for shipping and handling. Volume discounts are available. These items will also be on sale in the SPACE booth at the Satellite International Business Conference being held this month in Atlanta.

Also available are videotapes of the seminars conducted at the SPACE show in Omaha. Videotapes are \$75.00 per day and a guide of the seminars presented each day can be obtained by writing to SPACE headquarters.

Highlights of the Agreement Between SPACE and SelectTV

1. Programs Guaranteed to Private Cable Television Section Members

SelectTV warrants that it shall provide each month to Private Cable Television Section members of SPACE no less than 50 different film titles on its satellite service for five years.

2. SPACE to Advertise

SPACE will advertise the SelectTV service as a primary premium service.

3. SPACE Performs Pre-Screen

SPACE will conduct a preliminary screening of private cable television operators for participation in the program in accordance with standards set down by SelectTV.

4. Discounts for SPACE Members

SelectTV will provide SPACE Private Cable Television Section members with significant discounts off its monthly service ranging from \$.35 to over \$1.00, depending upon the number of subscribers who sign up through SPACE.

5. Additional Discounts for SPACE

Additional discounts of \$.20 per subscriber up to an aggregate of 60,000 subscribers and \$.15 per subscriber above 60,000 subscribers will be provided for those SPACE Private Cable Television Section members who pledge to make SelectTV their primary foundation pay TV service.

6. Twenty-Four Hour Service

The rates specified shall be for 24-hours per day of service. Twenty-four-hour per day service will start January 9, 1983.

7. SPACE Treated as "Most Favored Nation"

SelectTV agrees to offer SPACE a "most favored nation" clause which insures that in the event SelectTV offers any other private cable television operator or association of operators rates which are more favorable than those provided to SPACE, SelectTV shall make much more favorable rates available to SPACE and its members upon the same terms as offered to such other entity.

8. Options if SelectTV Scrambles

If SelectTV chooses to scramble or encrypt its transmissions during the term of the Agreement, it shall furnish the equipment necessary to unscramble or decrypt such transmissions to SPACE Private Cable Television Section members at its costs. If SelectTV chooses to scramble, SPACE members may terminate their contracts with SelectTV.

9. Bulk Discounts and Advertising Available to SPACE Private Cable Television Section Members

SelectTV will make best efforts to obtain a bulk rate applicable to SPACE Private Cable Television Section members for the printing and distribution of its program guides. Such rates shall be no more than \$.40 per guide which shall be issued every six weeks. SPACE members will be entitled to four pages of advertising upon achieving a minimum of 10,000 subscribers for each U.S. time zone.

Sign Up Now for Space PAC

Sign up now for SPACE PAC. SPACE PAC (The Society for Private and Commercial Earth Stations' Political Action Committee) was organized to make coordinated contributions to political candidates and committees. Contributions may be made by all employees of your company, its subsidiaries, and affiliates. However, in accordance with specific provisions of law, only selected professional, executive, managerial and administrative personnel may be asked to contribute. The program is entirely voluntary and certain tax benefits are available to contributors. By contributing to SPACE PAC, you help elect qualified candidates to public office. Sign up now. You may contribute to SPACE PAC by making out a **personal check** in one lump sum or in several contributions over a period of time and sending it to SPACE. SPACE PAC needs you—call the SPACE offices today for further information.

SPACE PAC

Political Action Committee

COMING ATTRACTIONS!

• Model Private Cable Contract •

• Business Services via Satellite Present New Business Opportunities
For Dealers and Private Cable Operators •

New SPACE BY-LAWS

Recently, the Board of Directors voted to expand membership so as to include representatives from the Dealer and Private Cable Sections of SPACE and to increase Board representation from the Consumer Section. These changes, as well as several others voted by the Board

during the last year, are incorporated in the new SPACE BY-Laws which are included in this month's SATVISON. These BY-Laws will be on voted by the general Members in the near future—look for a ballot from SPACE in the next two weeks.

BY-LAWS

SOCIETY FOR PRIVATE AND COMMERCIAL EARTH STATIONS

(SPACE)

ARTICLE I

NAME, PURPOSE AND MEMBERSHIP

Section 1 Name.

The name of this organization shall be the Society for Private and Commercial Earth Stations (SPACE). It is hereinafter referred to as "SPACE" or the "Society."

Section 2 Purposes.

The purpose of the Society shall be: (1) to foster and promote the interest of the public in direct satellite communications; (2) to defend the right of this industry to co-exist in the communications community; (3) to secure program viewing rights for users; (4) to act as liaison with the Federal Communications Commission, Congress and the White House; (5) to help ensure the industry's development; and, (6) to monitor and counteract any harmful activity undertaken by those opposing the emergence of this program distribution system and such other purposes as expressed in the BY-Laws.

AMENDMENT TO ARTICLE I, SECTION 3

Section 3 Membership.

The Society shall have various classes of membership: Equipment, consisting of Divisions I and II, Private Cable Television, and Consumer.

A. Equipment Members:

1. Division I. Except as may be otherwise provided, any individual, partnership, firm, corporation or other business entity which is engaged in the manufacture of earth station equipment or the national distribution of same, who may also be any other class of member as well, shall, as herein provided, be eligible for membership in the Equipment Section of this Society. Each such membership shall be classified as either a Division I Pioneer or as a Division I Manufacturer.

2. Division II. Except as may be otherwise provided, any individual, partnership, firm, corporation or other business entity which is engaged in the sale of earth station equipment or the regional distribution of same, shall, as herein provided, be eligible for membership in Division II of this Society.

B. Private Cable Television Members:

Except as may be otherwise provided, any individual, partnership, firm, corporation or other business entity which is engaged in the business of providing satellite services to apartments, condominiums, cooperatives, trailer parks and other residential establishments or real estate developers and owners desiring installation of private cable systems of their choice, shall as herein provided, be eligible for membership in the Private Cable Television Section of this Society. Each such membership shall be classified as a Private Cable Television Section membership if the business provides the business services hereinbefore described; or as a Real Estate Developer and Owner membership if the business entity is engaged in real estate development and elects to join the Society in this capacity.

C. Consumer Section:

Except as may be otherwise provided, any individual, partnership, firm, corporation or other business entity which utilizes earth station equipment or is contemplating using earth station equipment, shall, as herein provided, be eligible for Consumer membership in this Society.

Section 4 Application for Membership.

Application for membership shall be made in writing in such form as may be subscribed by Counsel for the Society, accompanied by the applicable enrollment fee for each of the membership classifications as established from time to time by the Board of Directors.

Section 5 Rights and Privileges of Membership.

A. Each member of the Society, in good standing, upon payment of all required dues, registration and/or other fees, shall have one vote in the conduct of the Society's affairs and in elections for officers or directors as specified herein. In the election of members to the Board of Directors, each such member shall have one vote for each of the Board positions designated to such member's membership classification. Such member may not accumulate his/her votes for any nominee.

B. Each member of the Society, in good standing, upon payment of all required dues, registration and/or other fees, shall have the right to attend all national, regional or local conventions and membership meetings.

Section 6 Annual Dues of Members.

A. Equipment Members. Each Equipment, Private Cable Television and Consumer member shall pay dues in accordance with such schedule or classification, at such times, and under such conditions as may be established by the Board of Directors.

B. Any member who is in arrears with respect to any dues more than 90 days shall have his/her voting rights officially terminated with respect to both voting as a member and voting as a Director if such member is also a Director. Membership may be cancelled by majority vote of the Board of Directors for conduct which is inconsistent with the purposes of the Society. Before any cancellation shall become effective, the member concerned shall be given full opportunity of an open hearing before the Board of Directors.

Section 7 Place of Meetings for Members.

Meetings of the members shall be held at such places as may be designated for that purpose from time to time by the Board of Directors both within and without the District of Columbia.

Section 8 Annual Meeting of Members.

The annual meeting of the members shall be held at such place, time, and date as determined by the Board of Directors and communicated to the members, at which time the various classes of membership shall elect by plurality those members of the Board of Directors designated in Article II, Section 2 of these By-Laws for election by members, unless the Board authorizes the conduct of elections through the mail. The Membership shall also consider reports of the affairs of the Society, and transact such other business as may be properly brought before the meeting.

Section 9 Special Meetings of Members.

Special meetings of the members, for any purpose or purposes whatsoever, may be called at any time by the Board of Directors or by a majority of the members of the Society.

Section 10 Notice of Meetings of Members.

Notices of meetings, annual or special, shall be given in writing to members entitled to vote by the Secretary, by the President, or the Vice President/General Counsel.

Such notices shall be sent to the members' address appearing in the record of the Society, or supplied by him to the Society for the purpose of notice, not less than 14 days before such meeting.

Notice of any meeting of members shall specify the place, the day and the hour of the meeting, and in case of special meeting, the general nature of the business to be transacted.

When a meeting is adjourned for 30 days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Except as aforesaid, it shall not be necessary to give any notice of the adjournment or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken.

Section 11 Consent to Members' Meetings.

The transactions of any meeting of the members, however called and noticed, shall be valid as though transacted at a meeting duly held after regular call and notice, if a quorum be present either in person or by proxy and if, either before or after the meeting, each of the members entitled to vote, not present in person or by proxy, signs a written waiver of notice, or a consent to the holding of such meeting, or an approval of the minutes thereof. All such waivers, consents or approvals shall be filed with the records of the Society or made a part of the minutes of the meeting.

Section 12 Members Acting Without a Meeting.

Any action which may be taken at a meeting of the members may be taken without a meeting if authorized by a writing signed by a majority of the members who would be entitled to vote at a meeting for such purpose, and filed with the Secretary of the Society or if there be none, with the President.

Section 13 Quorum of Members for Meeting.

A majority of the members entitled to vote thereat, present in person or represented by written proxy, shall be requisite and shall constitute a quorum at all meetings of the members for the transaction of business except as otherwise provided by law or by these By-Laws. If, however, such majority shall not be present or represented at any meeting of the members, the members entitled to vote thereat, present in person or by proxy, shall have power to adjourn the meeting from time to time, until the requisite amount of voting members shall be represented, any business may be transacted which might have been transacted at the meeting as originally notified.

Section 14 Proxies of Members.

Every member entitled to vote, or to execute consents, may do so, either in person or by written proxy, and shall be filed with the Secretary of the Society.

ARTICLE II

DIRECTORS, MANAGEMENT AND OFFICERS

Section 1 Powers.

Subject to the limitation of the Articles of Incorporation and of the Laws of the District of Columbia as to action to be authorized or approved by the members, all powers of the Society shall be exercised by or under the authority of, and the business and affairs of this Society shall be controlled by, a Board of Directors (Board) which shall be elected each year.

Section 2 Board of Directors.

A. There shall be a Board of Directors of the Society, herein referred to as the Board of Directors, and the authorized number of elected Directors shall consist of members elected by the Division I Equipment Members, the Division II Equipment Members, Private Cable Television Members, and the Consumer Members, respectively.

B. Number of Directors. The number of directors constituting the Board of Directors shall not exceed 21 (twenty-one).

C. Classification of Directors.

1. Division I Equipment Directors. There shall be elected to The Board of Directors Division I Pioneer Members which number shall not exceed 11 (eleven). Division I Manufacturer Members shall be eligible to vote for these Directors.

2. Division II Equipment Directors. There shall be elected to the Board of Directors Division II Equipment Members which number shall not exceed 4 (four). Division II Equipment Members shall be eligible to vote for these Directors.

3. Private Cable Television Directors. There shall be elected to the Board of Directors Private Cable Television Members, which number shall not exceed 3 (three).

4. Consumer Directors. There shall be elected to the Board of Directors Consumer Members, which number shall not exceed 3 (three).

D. Term of Office. The term of office of all Directors elected or designated subsequent to the effective date of these By-Laws, shall be one year, commencing at the close of the Annual Meeting of the membership at which their election or designation is certified, or absent each meeting, at such time as the election is certified by the Vice President/General Counsel and ending at the close of the first Annual Meeting following their assumption of office or, absent such meeting, one year from the date the election is certified by the Vice President/General Counsel. Notwithstanding the above, Directors shall remain in office until each yearly election is completed.

C. Directors Eligibility, Non-Eligibility, Vacancies.

1. Except as otherwise may be provided, any person who is duly certified by a member as eligible for nomination and election to the Board of Directors, shall be eligible to serve as a Director of the Society.

(a) The certifying member must be in good standing;

(b) only one person may be certified by each member, as eligible for nomination and election;

(c) the person certified must be an owner, a partner, an officer, an executive or an individual, whose time is devoted principally to the earth station industry of the certifying member.

2. No person shall be eligible to serve concurrently as a Director representing more than one classification of membership.

3. No individual, partnership, firm, corporation, organization, or other business entity shall be represented by more than one person at a time as a Director of the Society.

4. No person shall continue as a Director if his status shall so change that he/she would no longer be eligible as a candidate for the directorship which he/she holds; and in such case, a vacancy shall be declared by the Secretary, to be filled in accordance with the following provision.

F. Nomination and Election of Directors

1. Division I Equipment Directors. Division I Equipment Directors shall be nominated and elected by the Division I Equipment Members.

2. Division II Equipment Directors. Division II Equipment Directors shall be nominated and elected by the Division II Equipment Members.

3. Private Cable Television Directors. Private Cable Television Directors shall be nominated and elected by the Private Cable Television Members.

4. Consumer Directors. Consumer Directors shall be nominated and elected by the Consumer Members.

G. Miscellaneous Provisions

1. Past President. Notwithstanding any of the above provisions, the Board shall have the authority, by majority vote, to elect the immediate Past President of the Society to the Board of Directors. In any event, the immediate Past President shall become a Lifetime member of the Society.

2. Chairman. The Chairman of the Board shall come from the membership of the Board and shall be elected by a majority of the Board of Directors at the first meeting of any new Board of Directors. The Chairman shall serve at the pleasure of the Board.

Section 3 Vacancies.

A. Vacancies on the Board of Directors shall be filled by nominations and majority vote of the Board of Directors. Such newly elected Director(s) shall be a member of the section from which the vacating Director(s) was elected, and shall serve until the next regular election of Directors.

B. A vacancy or vacancies shall be deemed to exist in case of the death, resignation or removal of any Director, or if the members shall increase the authorized number of Directors but shall fail at the meeting at which such increase is authorized, or at an adjournment thereof, to elect the additional Director so provided for, or in case the members fail at any time to elect the full authorized number of Directors.

Section 4

Officers.

A. President. Nominations shall be made by Board members of the Society. The President shall serve for one year but may hold office until a successor is elected. The election of President shall be simultaneous with or after the election of the Board positions referred in Article II, Section 2 A. The Board may elect a President by a simple majority vote of the Board members present and voting. There shall be one vote per member.

B. Vice President/General Counsel Secretary.

Treasurer. Each of these shall be elected by a simple majority of the Board members present and voting; and the Secretary and Treasurer must be chosen from the existing Board of Directors.

Section 5

Duties of Officers.

A. President

The President shall be the executive head of the Society and shall:

1. preside at all meetings of the Members of the Society;
2. be ex-officio a member of the committees;
3. exercise general supervision of the affairs of the Society;
4. see to the enforcement of the By-Laws;
5. see to the carrying out of all orders and resolutions of the Board of Directors;
6. keep the Board of Directors fully informed and shall consult it concerning the business and activities of the Society;
7. make on behalf of the Board an annual report to the Members of the Society;
8. designate annually, subject to the confirmation of the Board of Directors, the Chairmen of the standing and special committees and the Chairman of the Board of Directors, unless otherwise provided under these By-Laws; and
9. perform such other duties as are set forth in the By-Laws or shall be assigned by the Board of Directors.

B. Vice President/General Counsel

The Vice President/General Counsel shall:

1. represent the interests of the Society before regulatory and legislative bodies;
2. keep the Board of Directors and Pioneer Members fully informed of all legal matters potentially affecting the Society;
3. may serve as an official representative of the Society at the meetings of other groups;
4. have authority to sign any draft or other order of the Society for the payment of money in any amount upon approval of the Treasurer or President, and for the payment of money up to \$2,000.00 without such approval;
5. be present at all meetings of the Board of Directors and if unable to attend shall appoint Counsel to be present at such meetings;
6. have such other powers and duties as may be prescribed by the Board of Directors.

C. Treasurer

The Treasurer shall have general supervision of the financial affairs of the Society and shall:

1. perform all the duties incident to the office of Treasurer;
2. have power to disburse such funds of the Society as shall be required in the conduct of its affairs and the carrying on of its activities;
3. have authority to sign any check, draft or other order of the Society for the payment of money, unless otherwise ordered by resolution adopted by the Board of Directors;
4. make financial statements to the Board of Directors in such form and frequency as they may direct;
5. provide for custody and safekeeping of all securities of the Society, subject to such custody arrangements as the Board of Directors may approve; and,
6. perform such other duties as may from time to time be assigned to him/her by the Board of Directors or the Executive Committee.

D. Secretary

The Secretary shall:

1. implement the decisions of the Board of Directors;

2. give notice of meetings of the Society and of the Board of Directors;
3. keep the minutes of the proceedings at such meetings;
4. preserve communications pertaining to the affairs of the Society;
5. perform such other duties as may be assigned by the Board of Directors.

In the event of the temporary disability of the Secretary, the Board of Directors shall designate an Acting Secretary to perform the duties of the Secretary. If at any meeting of the members of the Association or the Board of Directors, the Secretary is absent, and no one authorized to perform the duties is present, then a Secretary pro tem shall be selected by the members present.

Section 6 Term of Appointment.

The term of office of each appointive office shall be one year unless otherwise provided.

ARTICLE III

DIRECTOR MEETINGS

Section 1 Place and Time of Regular Meetings.

Meetings of the Board of Directors shall be held

- (a) at such places as designated by resolution of the Board of Directors at a meeting of the Board;
- (b) upon written consent of majority of the members of the Board; or
- (c) by call of the President, Chairman of the Board or Vice President/General Counsel upon 14 (fourteen) days written notice. Such notice shall be deemed given when mailed.

Section 2 Chairman.

The Chairman shall preside at all future meetings of the Board of Directors and Members of the Society and shall be responsible for transmitting all communications of the Board to the Members and to be the liaison of the Board with the President. In his/her absence, the highest ranking Officer present shall preside as follows: President, Vice President/General Counsel, Treasurer and Secretary.

Section 3 Special Meetings — Notices.

Special meetings of the Board of Directors for any purpose or purposes may be called at any time by any 11 (eleven) Directors.

Written 10 (ten) days notice (deemed given when mailed) of the time and place of special meetings shall be delivered personally to the Directors or sent to each Director by letter or by telegram, charges prepaid, addressed to him/her at his/her address as is shown on such records of the Society, or if it is not so shown on such records or is not readily ascertainable, at the place in which the meetings of the Directors are regularly held.

Section 4 Waiver of Notice.

When 2/3 of the Directors are present at any Directors' meeting, however called or noticed, and those present and the Vice President/General Counsel sign a written consent thereto on the records of such meeting, the transactions thereof are as valid as if taken at a meeting regularly called and noticed.

Section 5 Directors Acting Without a Meeting by Majority Written Consent.

Any action required or permitted to be taken by the Board of Directors, may be taken without a meeting, and with the same force and effect as a majority vote of the Board of Directors, if such action is initiated by the Chairman of the Board or an Officer of the Society and if a majority of all members of the Board of Directors and the Vice President/General Counsel shall receive notification in writing through the mail of such action and shall individually or collectively consent in writing to such action. Such consent shall be signed and filed with the regular minutes of the Board. Any certificate or document relating to an action so taken by written consent shall state thereon that it was taken by the majority written consent of the Board of Directors of the Society without a meeting thereof and that the By-Laws of the Society authorize the Directors to so act.

Section 6 Notices of Adjournment.

Notice of the time and place of holding an adjourned meeting need not be given to absent Directors if the time and place be fixed at the meeting adjourned.

Section 7 Quorum.

A majority of the number of Directors as fixed by the Charter or By-Laws shall be necessary to constitute a quorum for the transaction of business, and the action of a majority of the Directors present at any meeting at which there is a quorum, when duly assembled, is valid as an act of the Society, provided that a minority of the Directors, in the absence of a quorum, may adjourn from time to time, but may not transact any business.

Section 8 Presence of Counsel.

No meeting of the Board of Directors shall be held without the attendance of the Vice President/General Counsel or his/her designee.

Section 9 Removal of Directors.

Any Director missing 3 (three) consecutive meetings shall be automatically removed as a Director unless excepted by a majority vote of the Board.

ARTICLE IV
SOCIETY SEAL

The Society seal shall be in circular form, and shall have inscribed thereon the name of the Society and the date of its formation.

Section 4 Activities.

With the object of performing service for the general benefit of its Members and others, the Society may undertake such activities as in the sole discretion and judgment of the Board of Directors are designed to foster, promote and develop the Society and the interests of its Members.

ARTICLE V
AMENDMENTS TO BY-LAWS

Section 1 By Members.

New By-Laws may be adopted or these By-Laws may be repealed or amended at their Annual Meeting, or at any other meeting of the Members called for that purpose, by a majority vote of the members entitled to vote, or by written assent of such members.

Section 2 Powers of Directors.

Subject to the right of the Members to adopt, amend or repeal the By-Laws, as provided in Section 1 of this Article, the Board of Directors may adopt, amend or repeal any of these By-Laws.

Section 3 Record of Amendments.

Whenever an amendment or new By-Law is adopted, it shall be copied in the Book of By-Laws with the original By-Laws, in the appropriate place. If any By-Law is repealed, the fact of repeal with the date of the meeting at which the repeal was enacted or written assent was filed shall be stated in said Book.

ARTICLE VI
GENERAL

Section 1 Accountants.

The Board of Directors shall each year designate a firm of Certified Public Accountants to act as accountants for the Society for the current fiscal year.

Section 2 Fiscal Year.

The fiscal year of the Society shall end at the time agreed to by the Treasurer and Vice President/General Counsel.

Section 3 Notices.

Any notice to Members or to any Officer or Director shall be deemed sufficiently given if mailed to the last post office address furnished to the Society. All notices given by or on behalf of the Society shall be issued by the Secretary or his/her designee.



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MEMBERSHIP APPLICATION

EQUIPMENT SECTION

DIVISION I – Manufacturers & National Distributors

Pioneer Member – Dues \$300.00 per month

Leaders in the earth station industry, **Pioneer** members receive the weekly publication *Inside SPACE* from Washington, D.C., with all of the latest information on all issues affecting the earth station industry. **Pioneer** members are listed on the cover of the association's monthly newsletter and in other publications, elect the Division I Board of Directors and receive many other benefits.

Other Manufacturers

Dues \$500.00 per year or \$50.00 per month

DIVISION II – Dealers and Regional Distributors

Dues \$300.00 per year or \$30.00 per month

Designed exclusively for dealers and distributors, the monthly publication *SATVISION* gives the latest updates on marketing information and other news important to earth stations dealers and distributors. All Division II members are listed on the cover of *SATVISION* and other publications.

PRIVATE CABLE TELEVISION SECTION

Dues \$750.00 per year or \$75.00 per month

For companies providing satellite services to apartments, condominiums, cooperatives and other residential establishments. Members receive the monthly publication *Private Cable-Visions*—providing the latest information on the fast-changing world of private cable television. Real estate developers and owners division dues are \$150.00 per year.

CONSUMER SECTION

Dues \$35.00 per year

This section of *SPACE* is composed of earth station users and consumers. The association's monthly newsletter keeps consumer members up to date on the industry.

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